

	DEPARTMENT OF PUBLIC SAFETY		EFFECTIVE DATE: MAR - 2 2012	POLICY NO.: COR.18.07
	CORRECTIONS ADMINISTRATION POLICY AND PROCEDURES		SUPERSEDES (Policy No. & Date): COR.18.07 & 02/19/09	
	SUBJECT: EXCEPTION CASE			Page 1 of 3

1.0 PURPOSE

To delineate the circumstances under which an exception case may be initiated.

2.0 REFERENCES

.1 Reference

- a. Department of Public Safety (PSD), Policy and Procedures (P&P) COR 18.01, Inmate Classification System.

3.0 POLICY

It is the policy of the PSD to classify inmates according to individual needs and security risks presented. The classification instruments used to recommend security and custody needs are management tools that assist staff in determining appropriate placement. However, staff must always be aware that other factors may override the recommendations made by these classification instruments.

.1 Exception cases may be made under the following circumstances:

- a. Disciplinary cases in which an inmate's single act (such as those in the greatest or high categories in the Institutional Misconduct Severity Scale) or a series of misconducts indicates the inappropriateness of the current or recommended place of confinement, regardless of point totals. Exception cases recommending placement in maximum custody require misconducts in the high or greatest category.
- b. "Maximum" custody will be reserved for inmates who have shown through their institutional behavior that they are unable to function appropriately in the general population, regardless of the amount of time left to serve. This will include the violent, predatory, chronically disruptive, and series management problem inmates who disrupt the safe operation of a facility.
The decision to place an inmate in maximum custody must be judiciously made and will be subject to monitoring.
- c. Overcrowding in which additional inmates in a facility will jeopardize the good management of the facility.

COR P & PM	SUBJECT: EXCEPTION CASE	POLICY NO.: COR.18.07
		EFFECTIVE DATE: MAR - 2 2012
		Page 2 of 3

- d. Medical, psychiatric, or specialized programming needs are not adequate at the inmate's current or recommended place of confinement.
- e. Protective custody situations in which an inmate's health and/or safety has been jeopardized.
- f. Inmates with mandatory minimum or consecutive sentences, life without parole, or long minimum sentences.
- g. Inmate has demonstrated exceptional progress and behavior through program participation or the inmate's past criminal activities are limited and unsophisticated. For these inmates, a lower custody level could be considered.
- h. Violent offender when it is the judgment of the staff that the inmate's history of violent behavior is of such significance that the assignment of the inmate to a reduced custody would represent a threat to inmates, staff or the community.
- i. Youthful offender who is less than 22 years of age may be considered for a lower custody.
- j. Sex offender defined as having been convicted, at any time, of any sex offense or engaged in sexual misconduct during the course of an offense.
- k. Exemplary institutional behavior can be considered for granting reduced custody level if over a substantial period of time the inmate has shown through his/her behavior and participation in programs that he/she can function at a lower custody level than point totals indicate.
- l. Other management concerns.

.2 Processing of Exception Case

- a. Inmates should fall into one of the above criteria. The Classification Committee or Unit Team Manager/designee shall complete the Exception Case Form, PSD 8202 (attached).
- b. The Warden/designee shall review and forward to the department classification officer for approval the findings of the Classification

COR P & PM	SUBJECT: EXCEPTION CASE	POLICY NO.: COR.18.07
		EFFECTIVE DATE: MAR - 2 2012
		Page 3 of 3

Committee or Unit Team Manager/designee.

- c. Upon review by the Warden/designee, the following material shall be transmitted to the Classification Officer.
 - 1) Current classification instrument(s).
 - 2) Exception Case Form
 - 3) Initial Programming Plan
 - 4) Current Programming Plan Update
- d. The Classification Officer shall review the material and submit a decision on the memorandum within 5 working days of receipt.
- e. If Exception Case is disapproved by the Classification Officer, all materials shall be forwarded to the Deputy Director for Corrections for final resolution.
- f. See P&P COR.18.08, Transfer of Adult Inmates, if exception case recommends transfer to another facility.

.3 Adverse Hearing

Exception cases that result in an adverse classification action shall adhere to the procedural requirements of the Adverse Custody Hearing as found in P&P. COR.18.02.

4.0 RESPONSIBILITY

Wardens shall ensure compliance with the provisions of this policy.

5.0 SCOPE

This policy shall apply to all correctional facilities.

APPROVAL RECOMMENDED:

Deputy Director for Corrections

Date

APPROVED:

Director

Date

[Handwritten signatures and dates]
 2/3/12 3/2/2012

STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

Attachment

EXCEPTION CASE FORM

Date: _____

Name of Inmate: _____

SID #: _____

Current Facility Location: _____

Computed Custody Score: _____ Recommended Custody: _____

Reason for Exception Case Recommendation: _____

Submitted By:

(Facility Classification Coordinator/designee)

Date

Reviewed By:

(Warden/Designee)

Date

Forward this form to the Inmate Classification Office along with:

- 1) Completed Classification Instrument(s)
- 2) Exception Case Summary

Approve/Disapprove:

(Department Classification Officer)

Date

If disapproved, reasons:

When disapproved by the Department Classification Officer, exception case to automatically be sent to the Deputy Director for appeal review.

Exception Request Granted/Not Granted:

(Deputy Director for Corrections)

Date